

In The United States District Court  
FOR THE DISTRICT OF DELAWARE

Ronald E. Anderson  
vs,

> C.A. 05-877 JF  
>

General Motors Corp.

2007 OCT 19 PM 2:28  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

Motion to this Court / Violation of Judge's Order

for Fact Discovery set for Oct. 12, 07 - see Judge's  
Order Attach EXA. This was the Deadline

1. I object to their Deposition for/And Discovery for said  
(Person) super above. Set Oct. 24, 07. By Att Michael G. Bessentell  
(Said) or Mr. Michael Williams ✓ EXB notices for Deposition.
2. Also Rule 5.4 Discovery materials etc

3. Rule 1.3

Violation of the Fed R. Civ. P And any order of the Court

May be considered an Abandonment A Failure  
To prosecute or defend diligently, and Judgment  
may be entered Against The defaulting Party.

DAT  
10-18-07

Honorable Judge Farrer -  
ORDER - EXA

WHEREAS, upon review of the factors, the Court concludes that a stay pending appeal is not warranted;

NOW THEREFORE, IT IS HEREBY ORDERED that:

- 1) Plaintiff's Motions To Stay (D.I. 39, 43) are DENIED;
- 2) The deadline for fact discovery is extended until October 12, 2007; ✓
- 3) The deadline for filing case dispositive motions is extended until November 9, 2007.

August 16, 2007

  
UNITED STATES DISTRICT JUDGE

v.

Civil Action No. 05-877 JJF

GENERAL MOTORS CORPORATION,

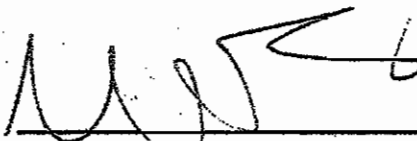
Defendant.

**NOTICE OF DEPOSITION**

TO: Roland C. Anderson  
113 Lloyd St.  
Wilmington, DE 19804  
Pro se plaintiff

Please take notice that defendant will take the deposition of *pro se* plaintiff Roland C. Anderson, on October 24, 2007, beginning at 9:00 a.m., at the offices of Eckert Seamans Cherin & Mellott, LLC, 300 Delaware Ave., Suite 1210, Wilmington, DE 19801. The deposition will be continued from day to day beginning at 9:00 a.m. until completed and the witness is excused. The deposition will be taken before a duly certified court reporter and can be used for all purposes permitted under Federal Rules of Civil Procedure, including trial. All parties are invited to attend and participate.

Respectfully submitted,



Michael G. Busenkell (Del. Bar #3933)  
Margaret F. England (Del. Bar #4248)  
Eckert Seamans Cherin & Mellott, LLC  
300 Delaware Avenue, Suite 1210  
Wilmington, DE 19801  
(392) 425-0430



MICHAEL A. WILLIAMS  
(816) 460-5562  
EMAIL: MWILLIAMS@LATHROP&GAGE.COM  
WWW.LATHROP&GAGE.COM

2345 GRAND BOULEVARD  
SUITE 2800  
KANSAS CITY, MISSOURI 64108-2684  
(816) 292-2000, FAX (816) 292-2001

October 17, 2007

**VIA FEDEX**

Roland C. Anderson  
113 Lloyd St.  
Wilmington, DE 19804

Re: Anderson v. GM

Dear Mr. Anderson:

As you are aware, your deposition is set for October 24, 2007 at our local counsel's office in Wilmington. I properly noticed up this deposition several weeks ago and it will begin at 9:00 a.m. As GM will be incurring the travel and deposition costs for me to attend this deposition, I want to make sure that you understand the importance of your attendance. If you fail to appear for this deposition, we will seek appropriate cost and relief from the Court, including requesting that your case be dismissed with prejudice.

Finally, while you have not noticed up any depositions, I wanted to make you aware that Mr. Tyndall is on medical leave and is unavailable for any deposition on October 24, 2007. Thank you.

Very truly yours,

LATHROP & GAGE L.C.

By: 

Michael A. Williams

raf

CC 1946867v1

4  
Change Your Expectations?

EXC

1. Scope of the Rules / copy attach.

1) On 8-16-2007 - Judge Farnen - order was  
The deadline for discovery is extended until  
October 12, 2007.

2) The Rules shall be construed consistent  
with 1 U.S.C §§ 1-5 And shall be followed Insofar  
As they are not inconsistent with Feder. R. of civil  
Procedure ( Hereinafter ("F.R.C.P.))

2) A. THE Rules replace any local Rules effective  
prior thereto and shall govern All civil proceed-  
ings pending on the effective date. unless otherwise  
Order, 388 - Judge Order Attach. of Aug 16 - 2007.

R. 5.4 Discovery Materials

In Lieu thereof, the party Requesting discovery and the  
party serving Responses thereto shall file with the  
The court A "NOTICE of Service" containing  
A certification that A particular form of discovery  
or Response was served on other counsel  
or opposing parties and date and MANNER of  
SERVICE. see R. 5.4 (1) as well Attach.

These order was (NOT  
Follow) By the defendant counsel.  
and Also miss there DEADLINE Order By The Judge  
for Discovery By Oct 12, 07.

Also Rule 16.4 - Requested for Extension of Deadlines

There was NO Requests for Extension from  
Defendant Counsel. 888 Rule 16.4 for Extension

for deadline of discovery. Attach Spec of



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(7) The officer before whom the deposition is taken shall then identify himself or herself and swear the deponent on the record.

(b) Conclusion. At the conclusion of the deposition, the operator shall state on the record that the deposition is concluded. When the length of the deposition requires the use of more than one electronic file or recorded media, the end of each file or recorded media and the beginning of each succeeding file or recorded media shall be announced on the record by the operator.

(c) Timing by Digital Clock. The deposition shall be timed by a digital clock on the record which shall record and show continually each hour, minute and second of the deposition.

(d) Custody. Counsel for the party taking the deposition shall take custody of and be responsible for the safeguarding of the recorded media. The custodian shall permit the viewing of the electronic file or recorded media, and shall provide a copy of such upon the request and at the cost of a party.

#### **RULE 30.5. Original Deposition Transcripts.**

It shall be the duty of the party on whose behalf the deposition was taken to make certain that the officer before whom it was taken has delivered the original transcript to such party.

#### **RULE 30.6. Depositions Upon Oral Examination.**

From the commencement until the conclusion of deposition questioning by an opposing party, including any recesses or continuances, counsel for the deponent shall not consult or confer with the deponent regarding the substance of the testimony already given or anticipated to be given, except for the purpose of conferring on whether to assert a privilege against testifying or on how to comply with a court order.

#### **RULE 37.1. Discovery Motions to Include the Discovery at Issue.**

Any discovery motion filed pursuant to Fed. R. Civ. P. 26 through 37 shall include, in the motion itself or in a memorandum, a verbatim recitation of each interrogatory, request, answer, response, or objection which is the subject of the motion or shall have attached a copy of the actual discovery document which is the subject of the motion.

### **VI. TRIALS**

#### **RULE 38.1. Notation of "Jury Demand" on the Pleading.**

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that required of plaintiff;

(11) Any amendments of the pleadings desired by any party with a statement whether it is unopposed or objected to and, if objected to, the grounds therefore;

(12) A certification that the parties have engaged in a good faith effort to explore the resolution of the controversy by settlement;

(13) Any other matters which the parties deem appropriate.

(d) Unless otherwise ordered or agreed to by the parties and approved by the Court.

(1) The plaintiff shall provide a draft pretrial order to all other parties no less than 30 days before the pretrial order is to be filed with the Court. The draft shall include proposed language for the sections of the pretrial order jointly submitted by all parties, as well as the sections relating to the plaintiff's case. If the parties have not yet exchanged trial exhibits, the plaintiff shall provide all other parties with a copy of, or reasonable access to, the plaintiff's proposed trial exhibits.

(2) No less than 15 days before the pretrial order is to be filed with the Court, all other parties shall provide the plaintiff and each other party with their responses to the plaintiff's draft order. Such responses shall include the party's response to the plaintiff's proposed language for the sections of the pretrial order to be jointly submitted by all parties, as well as the sections relating to the party's case. If the parties have not yet exchanged trial exhibits, the party shall provide plaintiff and each other party with a copy of, or reasonable access to, the party's proposed trial exhibits.

(3) The parties shall thereafter meet and confer in good faith such that the plaintiff may file the pretrial order in conformity with this Rule.

(4) At least 5 days prior to the pretrial conference, the plaintiff shall file with the Clerk an executed copy of the proposed pretrial order, which shall include the matters described in subsection (c) above, as well as the following language:

"This order shall control the subsequent course of the action, unless modified by the Court to prevent manifest injustice."

#### **RULE 16.4. Requests for Extensions of Deadlines.**

Unless otherwise ordered, a request for an extension of deadlines for completion of discovery or postponement of the trial shall be made by motion or stipulation prior to expiration of the date deadline, and shall include the following: ✓



Clerk of Service

To: The Honorable Joseph T. FARNAM JR.  
UNIT STATES DISTRICT COURT  
DISTRICT OF DELAWARE  
844 N. King Street  
W.R. Del. 19804

- MICHAEL Busenell / MICHAEL William ✓  
Eckert SEAMANS & CHERIE MELLOTT LLC  
300 Delaware Avenue Suite 1210  
W.R. Del. 19801

- MICHAEL William  
2345 Grand Blvd. Suite 2800  
KANSAS CITY MISSOURI 64108-2689

Thank You;

- ROLAND C. Anderson  
113 Cloyd St.  
W.R. Del. 19804  
(302) 994-0904

Date Oct 18-07